

MARCIA GOLDBERG, *et al.*,)
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 Plaintiffs,)
)
)
 v.) No. 3:15-CV-546-TAV-CCS
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)
 DEPLOY MILLER, *et al.*,)
)
 Defendants.)

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

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The Court finds that the instant Motion complies with the Local Rules of this Court. See L.R. 83.4(g). In addition, the Court finds good cause to allow counsel to withdraw from representing Defendant Boruff. The Court expects Attorneys Leibowitz, Hemmelgarn, Tindell, and the Leibowitz Law Firm, PLLC, to provide copies of any relevant documents to any future counsel for Defendant Boruff or directly to Defendant Boruff upon request. Otherwise, Attorneys Leibowitz, Hemmelgarn, Tindell, and the Leibowitz Law Firm, PLLC, are **RELIEVED** of their duties as counsel in this case.

With respect to the request to stay this action for forty-five days, the Court finds this request not well-taken. The pending Motion to Remand has already been briefed and is ready for adjudication. With respect to the other pending motions in this case, the undersigned held them in abeyance until a decision on the Motion to Remand is issued. Thus, the Court finds that there is no basis to stay this action for forty-five days pending Defendant Boruff's attempt to obtain new counsel.

Defendant Boruff is hereby **ADMONISHED** that his is **DEEMED** to be proceeding *pro se*. Until he obtains substitute counsel, it is his obligation to stay up to date on the status of this case and comply with the deadlines set by the Court. Likewise, if he elects to proceed in this case without an attorney, he is responsible for complying with all deadlines set by the Court and responding to any requests for relief by other parties, see E.D. Tenn. L.R. 7.1. Defendant Boruff, like any other party, will be expected to comply with the Federal Rules of Civil Procedure, the Local Rules, and the Court's Orders. To the extent Defendant Boruff plans to retain new counsel, he should do so as soon as possible.

Accordingly, the Motion to Withdraw as Counsel for Defendant Scott Boruff [**Doc. 69**] is hereby **GRANTED IN PART AND DENIED IN PART**. The Clerk of Court is **DIRECTED** to

mail a copy of this Memorandum and Order to Defendant Boruff at the address provided in the Motion and to enter that address as his contact information in the docket.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge